

REPUBLIC OF SEYCHELLES

SHADOW REPORT ON CEDAW

BY

THE GENDER COMMISSION

LIAISON UNIT OF NGOs IN SEYCHELLES (LUNGOS)

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EXECUTIVE SUMMARY

This report by the Gender Commission of the Liaison Unit of Non Government Organizations (LUNGOS) focuses on two main issues, in the monitoring of the implementation of CEDAW in the Seychelles. The report starts with a profile of Seychelles from a socio-politico and economic perspective.

This is followed by the acknowledgement of progress made by Seychelles government in implementing CEDAW. The report, recognizes the effort made for women to enjoy equal rights as men.

Secondly, the report addresses the impact at operational level. It questions the missing link in making things happen.

The report concludes with the inputs of the Gender Commission towards the implementation of CEDAW, with highlights of the national challenges.

1. INTRODUCTION

Social, political and economical context

The Republic of Seychelles comprises 115 islands covering an area of approximately 444 square kilometres. It is situated in the Indian Ocean, between 4 and 9 degrees south of the equator and between 46 and 56 degrees east, covering an Exclusive Economic Zone of more than 1.3 million square kilometres. The main islands are Mahé, Praslin and La Digue and together they share the bulk of all economic activities. Victoria, the capital of Seychelles, is located on Mahé the largest of the three main islands. Of the 115 islands only these three main ones are permanently habited. The remaining islands are sparsely populated and residence is not permanent.

Seychelles is a tri-lingual state with three official languages. Creole is the mother tongue; English and French are mainly the administrative languages. The Creole language is derived from French, generally, with some African and Malagasy inputs. The same can be said about the make-up of the Seychellois people. Due to a culture of mixed marriages, Seychelles is a multi-ethnic population and since the beginning of the twentieth century, there has been no attempt to classify the population according to ethnic groups.

Almost 80% of the population are predominantly Roman Catholic, about 8% Anglicans with all other religions of the world tolerated i.e. Islam, Hinduism, Buddhism, Bahai and a multitude of Christian denominations (Seventh Day Adventist, Jehovah Witnesses, Pentecostals and Baptists).

The Political transition in Seychelles has been smooth and peaceful. It started with the French colonial rule to the English colonial rule. In 1976 Seychelles gained its independence from the British colonial power with Mr. James Richard Mancham as the President. A year later in 1977, Mr. France Albert Rene proclaimed power through a coup, which saw the establishment of a one-party state.

In 1991 the one-party system was abolished and through a referendum in 1993 a new Constitution was adopted. The multi-party system was re-introduced in Seychelles.

As a Small Island Developing State (SIDS), Seychelles has not been spared the various adversities and vulnerabilities faced by island states. Remoteness from major markets and limited natural resources has led to a heavy reliance on external financial flows for economic and social sustainability. Like many other SIDS Seychelles' economy is largely dependent on tourism and fisheries, although recently, there has been considerable effort to diversify, especially in the offshore sector and tanker business, as an endeavour to establish the third pillar of the economy.

Despite its small land area, remoteness from major markets and limited natural resources, Seychelles has made tremendous progress since independence. Gross Domestic Product (GDP) has increased by

nine fold and the quality of life for the vast majority of Seychellois people has improved remarkably; and the Seychellois enjoys a high standard of living. Today Seychelles stands among the best in Africa.

Since the mid-1990s, the Seychelles has been ranked as an upper-middle-income country by UNDP, with GDP per capita of US \$ 10,727 in 2010, the highest in Sub-Saharan Africa. However, in 2008 after many years of unsustainable fiscal policy and distorted and overvalued foreign exchange regime, the Government of Seychelles embarked upon a bold economic reform program. This program aimed at putting the economy on a path toward macroeconomic stability by liberalizing the economy and allowing the private sector to take over from the State as the driving force in the economy. Nonetheless the key social indicators are still comparable to those of developed countries. In 2010, life expectancy at birth was 73.2 (69.1 for male and 77.5 years for females respectively) and the infant mortality rate was 14.0 per 1,000 births.

The Civil Society

The Civil Society, considered as the third sector is globally identified and accepted as a significant actor in national development. According to the Office of the Registrar of Associations in Seychelles there are over a hundred organizations registered as Non Government Organizations (NGOs). Eighty six (86) of these NGOs are accredited members of the Liaison Unit of Non Governmental Organizations (LUNGOS) the umbrella organization established in 1990. The latter has a good relationship with the Seychelles Government, to the extent that in 2008 a Memorandum of Understanding (MOU) was signed between the two parties. As a result of the MOU which has cemented this relationship LUNGOS receives an annual budget from the Government, for operational purposes.

LUNGOS memberships are clustered into eight different Commissions according to areas of interventions and focus. One of them is the Gender Commission which is headed by a Commissioner elected by the General Assembly of LUNGOS.

It has as its objectives the following;

- Provide a forum for non state actors in Seychelles to share information and experience regarding gender issues, and to provide key information and advise LUNGOS, partners and stakeholders.
- Maintain an active network of information on Gender issues
- Take collaborative action for the development of the gender agenda
- Represent Civil Society on gender issues
- Represent the combined interest of Seychelles Civil Society on gender at national and international level

It is with the above role that the Gender Commission is undertaking the alternative report in a de facto approach in relations to the articles 1-16 of the CEDAW. It is to be noted that this is the first time that LUNGOS is participating in such an exercise.

2. Implementation of CEDAW Articles 1-16

Part I

Articles 1,2 ,3 , and 4

Seychelles ratified the Convention in 1992 thus affirming its commitment on gender equity and equality. Its effort to embrace gender mainstreaming has been constant though some years have been better than others. As part of the CEDAW implementation programmes a number of activities have been organized, which included sensitization on the rights of women, awareness raising where homes were visited as part of a survey on drugs and alcohol abuse taking place in the homes; empowerment of Women Parliamentarians from both Seychelles and Mauritius; training of trainers, counselors, 60 PSE teachers, community leaders, youths; Promotion of reproductive health programmes and rights. A group of 25 domestic violence hotline counselors have been trained. The Seychelles Alliance for Women Development has trained 110 women as part of its project to economically empower women to alleviate poverty and curb violence. All these activities were conducted on the two main islands of the Seychelles. As a result of advocacy, education, sensitization and networking, women are playing a greater leadership role generally. Equality of men and women is incorporated in the Constitution of the third republic (1994) though it is not gender explicit “ every person has a right to equal protection of the law including the enjoyment of rights set out in this Charter without discrimination on any ground except as in necessary in a democratic state”(Art 27(1).

Other laws that protect the rights of women and do not discriminate include the following:

1. The Children Act 1982, Cap 28 (Amended in 1998)
2. Family Violence (Protection of Victim) act 2000
3. Employment Regulations ,1991. Maternity leave , Employment Act 1995
4. Amendment of Penal code 130-153 .1996
5. Evidence amendment Act 1995
6. Termination of pregnancy Act 1994
7. Public Officers’ Ethics Act 2008
8. Social Welfare Protection Act now known as Agency for Social Protection Act 2011

To date, the above in line with CEDAW implementation has never been confirmed or challenged in any cases. In addition, no government sector apart from the Ministry of Social Affairs has a gender unit or focal point.

A Gender Unit has been in existence in the country, but with limited impact due to its frequent movement from one Ministry to another, namely the Ministry of Foreign Affairs, ministry of

administration and Ministry of Social Affairs, Community Development and Sports. The unit now functions under the Department of Social Development. A gender management system has always been in place to ensure gender mainstreaming in the various ministries, but the outcome is very poor as no ministry has a gender unit in place.

Women, just like men, if aggrieved have access to all institutions, namely Constitutional Court, Ombudsman and Public Service Appeals Board. The court functions independently of CEDAW. It is to be noted that knowledge of CEDAW is low and as such CEDAW has never been cited in legal cases. Whereas Legal Aid is a provision of the law for both genders.

Article 5

Countries are requested to work towards the modification of social and cultural patterns of individual conduct in order to eliminate "prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women". Shared responsibilities can be noted in the homes and families, thus enabling women to be able to participate better in the economic development. Women undertaking jobs that were reserved for men are few and far between. However, isolated cases of women in construction industry, driving public transport and in Aviation, have been singled out .

Article 6

Prostitution is illegal as stipulated in the Penal Code. Although no cases have been prosecuted so far, in the last year the activity has become visible. This "social ill" is skewed towards women as victims with teenagers forming the significant group. It is worth noting however that a case of harboring illegal sexual activities was successfully prosecuted.

The main problem being, that those young girls are all vulnerable in the sense that they easily fall prey of bad influences and in many cases, find themselves facing unplanned and unwanted pregnancy during this difficult moment of their lives. Efforts are being harnessed to tackle it. A task force comprising of representatives from various organizations are working in close collaboration to tackle the issue.

Observation

Despite the measures being put in place by the government things are slow to happen on the ground. Gender Focal points as proposed and requested by the custodian of Gender portfolio have not materialized in the different ministries, parastatals (partly funded by Government) or private organizations, thus making gender mainstreaming non implementable. The promotion of women rights and advancement of women are minimal and in some ministries non existence. Advertisements on the media are discriminatory towards women. For example an advertisement for fish cleaning, a perceived menial task in a fish factory stipulates women only. Similarly a vacancy advert for police excludes the invitation for women to apply.

The National Gender policy is still being developed by the Gender Unit and partners. It aims to illustrate the level of importance given to Gender equality and advocacy for the rights and advancement of women. Members of the civil society have been active in the deliberations pertaining to this work. However the date or time to which it will be sent to the Cabinet of Ministers for endorsement is still unknown.

Gender violence

Gender violence is still a clandestine topic as it exists and despite the availability of the Family Violence Protection Act, the number of women coming forward is unsatisfactory. However, efforts are underway to enact a new law called the Domestic Violence Act that aims to criminalize all acts of domestic violence.

Part II

Articles 7,8 & 9

Women have equal rights to participate in political and public life. Women involvement in election processes is active. In campaigning for election women are at the forefront.

There had been tremendous progress in women's participation in various areas of development, with women forming part of the cabinet of Ministers. Two women form part of the 10 member Cabinet.

The statistics reveal that women form 17% and 24% of the parliamentarians and the Cabinet of Ministers respectively (Seychelles statistical report 2008).

Interest in sex role stereotyping and prejudice grew since the Fourth World Conference on Women in 1995. In particular the recommendations in the Beijing Platform for Action concerning Poverty alleviation, women and the economy, women and health, women and the media and violence against women. Following the Beijing conference many non-governmental organizations were born, these included the Seychelles Association of Professional Women (SAWOP); Alliance of Solidarity for the Family (ASFF); Gender and Media Plus (GemPlus); Association For The Promotion of Solid Human Families (APSHF); Women In Action and Solidarity (WASO) and in 1998, the Seychelles Women's Commission which was recently renamed Gender Commission.

At a later stage in this important development of the civil society, the Association of Fathers Promoting Responsible Parenthood was established in an effort to raise men's awareness of their role as nurturers of children and thus facilitate the mainstreaming of the gender perspective in the domestic sphere. Additionally many non state actors, mainly churches and faith-based organizations, are engaged in parenting programs for both fathers and mothers and also married couples. All efforts are placed on awareness raising and information sharing to eliminate sex role stereotyping. Women form a large proportion of these movements.

Women have the equal right to represent Seychelles at national and international levels. Women have also held Ambassadorial posts. Presently, there are three international women Ambassadors in the United Nations, London, and Brussels.

Observation

No more than 3 women at one time in the Cabinet has been appointed. However it is to be noted that their portfolio has been in areas of education, social, health. At only one time a woman was the Minister of Foreign Affairs and Tourism respectively. Women is awaiting the time when they will occupy posts of President, Vice President, Minister for Finance, or industry. However, it is encouraging to note that in 2010, a woman has been promoted to the post of Governor of the Central Bank.

In 2008, a national Economic Reform Committee was established and the composition was all men.

Part IV

10,11,12,13,14,15 &16

Article 10

There are 25 primary schools, where there are 5396 females and 5475 males.

There are 10 secondary schools, where there are 3117 females and 3201 males.

At post secondary level for the year 2013, there are 7 post secondary schools, where Year One enrollment totaled 401 females and 567 males.

A good percentage of the youth populations engage in tertiary education. For the year 2010 – 2012, the following numbers graduated from tertiary institutions:

2010 – Males 33 / 51 Females, totaling to 84 graduates.

2011 – 32 Males / 35 Females, totaling to 67 graduates.

2012 – 57 Males / 79 Females, totaling to 132 graduates.

In the years following the Beijing Conference, Gender education was at its highest in the education system where a group of gender trainers was established with the mandate to train all of the teachers in primary, secondary and post secondary schools of the islands. Special emphasis was placed on the learning materials and choice of career. For instance the post secondary institutions of Agriculture, Maritime and Engineering had only male students. To date all 3 post secondary educational institutions are registering female students. When it comes to career choice, women are infiltrating in traditional male occupation. To date the national airline is boasting two women pilots.

In a study to look at the performance of students vis a vis reading and maths the table below shows that the girls outdo the boys.([www. sacmeq.org/education-seychelles.htm](http://www.sacmeq.org/education-seychelles.htm))

SUB-GROUPS	READING		MATHEMATICS	
	MEAN	SE	MEAN	SE
GENDER				
BOYS	549.7	4.42	535.5	3.75
GIRLS	614.2	4.21	573.1	3.85

Even the national literacy rate shows the progress of women with 91.8% male and 91.4% female (2002 census)

In the field of education, enrolment for boys and girls are well balanced both in primary and secondary education.

The Employment Act shows no discrimination towards women. Although there are no initiatives to encourage women to choose non-traditional careers, there are also no barriers stopping them from choosing such careers.

The government is aware that women’s success in the productive arena depends on how well they are able to play their role as mothers. Consequently many day care centres, run by the Government through the Ministry of Education, are operational in districts and near working areas, so that the mothers can be employed and at the same time be free from worry knowing that their children are being well cared for.

Pregnancy and employment is also well taken care of. Women enjoy a fourteen- week maternity paid leave after which the great majority of them return to work. There have been a many attempts by various parties to lobby for paternity leave.

Regarding medical and child care, pregnant women are treated by skilled personnel with a maternal mortality rate of 60 per 100, 000 births.

Family planning is free at point of use; however youths under 18 require parental approval.

Much effort is needed to develop youth friendly health services hence to open up access to integrated services.

One NGO, ASFF is working in close collaboration with partners which include the Ministry of Health and the National Youth Council to offer Youth Friendly integrated services on reproductive health. In addition the same NGO is conducting men's clinic, on the two main islands.

Women, like men have the right to family benefits, bank loans, mortgages and other forms of financial credit.

Both men and women participate in recreational activities, sports and all aspects of cultural life, and get the opportunities to represent the country at national, regional and international events.

Observation

Although women outperformed men at all educational levels, economically the former had not benefitted economically as much as men. Women continue to be concentrated in the lowest paying jobs, and many are single parents bearing the sole responsibility for upbringing of the children. The introduction of the Family Tribunal in November 1998 has also been to the benefits of women, the legal aspect of alimony is faster. It is the same legal arm that deals with Domestic Violence, in the sense of protection of the victim. A domestic Violence Act is currently being developed.

The number of children related matters filed under the Children's Act keep increasing every year, as follows:

2008 - 642 ; 2009 – 621; 2010 – 537; 2011 – 565 and 2012 – 662.

Yearly, in November much education and information-sharing are carried out by NGOs and other civil society organizations including faith-based organizations in order to raise awareness of Domestic Violence. A strategic plan on Gender Violence has been developed in 2008 and this month the Action plan will be finalized. This topic has also been introduced in the training of policemen and specialized trainers. This year, through its NGO members, the Gender Commission came out strongly with a sensitization program, reaching out to workplaces such as the Transport Corporation (SPTC), Security Firms where employees are mostly men and also conducted the program in a district in the northern part of the island in collaboration with the Family Affairs group whose participation consisted of males only. Whereas one other NGO has gone further to raise awareness of the youth on signs of potential Domestic Violence whilst dating.

Teenage pregnancy remains a barrier to girls' development. The rate of teenage pregnancy range between 12.5% and 16% of total pregnancies (Ministry of Health Statistics 2005). The age of sexual consent is 15 years of age, whilst access to contraceptive is at 18 years of age unless there's parental approval is given. With the introduction of the 1996 Teenage Pregnancy Policy teenage mothers have the right to return to school and complete their education. Non governmental organizations with special emphasis on girls' education, the Seychelles Association of Professional Women (SAWOP) conducted a study to look at the condition of the Teenage mothers in relation to the policy. Unfortunately gaps exist in the implementation as the majority of the teenage mothers do not return to their education. Efforts are continuous to sensitize parents and young parents on the importance of pursuing their education.

However when employment is in play women feel the brunt of economic difficulties. In 2008 a major economic reform was introduced in the Seychelles. As a result, so many jobs were lost and the ones mostly affected were the women. However, the government being aware of the grave situation, entered in partnership with the NGO Umbrella Organization (LUNGOS) seeking for assistance. Having agreed to its social responsibility, LUNGOS accepted the sum of Rupees five hundred thousand(US\$45,000) that the government offered for social program that falls directly under the Economic Reform Program. With this fund, LUNGOS implemented a series of social projects that are aimed at capacitating the youths, single mothers and jobseekers thus preventing them from falling into social ills that are affecting the society such as drug and alcohol abuses and prostitution.

For its part, the National Youth Council also joined the fight with its own program of capacity-building. Re-training is continuously being done, the young women do not shy from moving forwards as they are the main ones participating in those re-skilling programs.

On the other end, the Ministry of Employment is offering short training and attachment courses to secondary school leavers with the view of providing them with knowledge and skills that would enable them to enter the world of work well equipped. Most of the one hundred or so participants are girls. During their 3-months training period, they are paid a monthly allowance of SR 1500 equivalent to \$140. LUNGOS supports the Government in its efforts to economically empower people, mostly women through Economic Reform Social Projects.

REMARKS

Continuous efforts are being made by Government and Civil Society to demystify gender based violence and to set up structures to educate and support victims and the general population. It is felt that through this empowerment, cases of domestic violence will be reported.

There is an ongoing campaign on Gender based violence which is reinforced in November during the "Sixteen Days of Activism Against Gender Based Violence" which needs evaluated to determine its impact.

3. Conclusion

3.1 Gender Commission's input

Following the sensitization program in 2008 on the "Protocol to the African Charter on People's Rights and the Rights of Women in Africa, the Gender Commission came up with a series of recommendations some of which were sent to the authority concerned. Among them, featured urgent ones that read as follows:

- a. In view of conflicting rights relating to employment of young girls at the age of 15 years (Employment of young persons), access to family planning at the age of 18 years (Reproductive Health) and right to Health Care, it is recommended that the relevant laws be reviewed to reflect reality.
- b. That an exercise be carried out to look at existing laws pertaining to women's issues and that the Seychelles Gender Commission lobby the Government and other partners to review those laws in order to bring them to women's reality. Once completed, the Commission to seek funding to conduct educational and sensitization training programs.
- c. To educate abused women to enable them to reconsider their irresponsible actions and impact those can have on the society especially those who are being compelled by the male partners to engage in the sale of drugs to children and women.

The Commission has been instrumental in lobbying the Action Group of Women Parliamentarians in the National Assembly on the need to change certain provisions of the above-mentioned laws, more so that the participant who raised the point was herself a female Member of the National Assembly at the time. Unfortunately, to-date no move has been made in this direction. Therefore it is felt there is the need for the Commission to enter into discussions with the Ministry of Employment and Social Affairs on this matter.

3.2 Challenges

The Gender Commission of LUNGOS recognizes 3 main challenges in the effort to prevent discrimination against women. They are

- i. Rehabilitation Centre – Domestic violence; prostitution
The problem of domestic violence is relatively well recognized in the society. Women are coming forward to relevant authorities to complain, and officers from the police and social services are making their contribution towards elimination of this problem.
Prostitution which was a clandestine activity is now in the open. The society recognizes the danger that this activity is placing on the young women.
For these two problems the Commission is striving its best to advocate for the setting up of a rehabilitation Centre to maximize the effort in helping the women. No such facility exists in the Seychelles to date.
- ii. Ignorance of women – on the Convention and other laws related to women
Participation at and signatory to international convention exist, Laws to protect women also are in existence. However much effort is needed to inform women about the existence of

these laws and policies. Empowering women on the latter will do much to eliminate barriers that prevent women to make meaningful contribution in national development.

iii. Integration of gender issues in the educational and training curricula.

Other activities at national level like the Convention of the Rights of the Child, Human Rights initiatives and the year 2008 being a national theme of knowing the Constitution have assisted to improve the situation of women.

Seychelles has done much to improve the situation of Women but a lot more needs to be done. There is a need to sensitize and educate the decision makers for them to honestly appreciate and are genuinely convinced that women can produce just as men in the development of the country. Most of the relevant laws, and policies are in place but more effort to change them into action.